

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FuboTV, Inc., and FuboTV Media, Inc.,

Plaintiffs,

v.

The Walt Disney Company, et al.,

Defendants.

1:24-cv-01363-MMG

ORAL ARGUMENT REQUESTED

**DISNEY’S NOTICE OF MOTION TO DISMISS PLAINTIFFS’
COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying (1) Memorandum of Law in Support of Disney’s Motion to Dismiss Plaintiffs’ Complaint, (2) Request for Judicial Notice in Support of Disney’s Motion to Dismiss the Complaint and (3) Declaration of J. Wesley Earnhardt in Support of Disney’s Motion to Dismiss the Complaint, Defendants The Walt Disney Company and its affiliates ESPN, Inc., ESPN Enterprises, Inc. and Hulu, LLC (together, “Disney” or the “Disney Defendants”) hereby move this Court for an Order dismissing all allegations in Plaintiffs’ Complaint with prejudice pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and granting such other and further relief as this Court deems just and proper.

April 9, 2024

CRAVATH, SWAINE & MOORE LLP,

/s/ J. Wesley Earnhardt

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